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11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 PAUL JEFFREY VOLL, an individual,

14 Plaintiff,

15 vs.

16 UNITED STATES OF AMERICA, DAVID N.
17 KARPEL, individually, DOES 1 through 100;
18 and ROES 1 through 100; inclusive,

19 Defendants.

CASE NO.: 2:22-cv-00610-JCM-BNW

**STIPULATION TO EXTEND DEADLINE
TO RESPOND TO USA AND KARPEL'S
MOTIONS TO DISMISS [ECF NOS. 12
AND 13]**

(Fourth Request)

20 NOW COME the Plaintiff, PAUL JEFFREY VOLL ("Plaintiff"), by and through his
21 attorneys, Melanie A. Hill and Melanie Hill Law PLLC, and the Defendants, UNITED STATES OF
22 AMERICA and DAVID N. KARPEL, by and through their attorney Jacob A. Bennett, who hereby
23 stipulate that the deadlines for Plaintiff to respond to Defendant USA and Karpel's Motions to
24 Dismiss [ECF Nos. 12 and 13] and Defendant USA and Karpel's deadlines to reply to Plaintiff's
25 responsive filing be extended pursuant to Local Rule IA 6-1.

26 This is the parties' fourth request for an extension of deadlines. The parties originally filed a
27 stipulation [ECF No. 10] that extended Defendant United States' response deadline to align with
28 Defendant Karpel's. That stipulation would have also extended Plaintiff's deadline to respond to the
instant Motions to Dismiss. However, the Court only granted Defendants' extension to respond to

1 the Complaint and denied the request to extend the briefing schedule without prejudice. See Order
2 [ECF No. 11]. The Court then instructed the parties to file a separate stipulation extending Plaintiff's
3 deadline to respond to Defendants' Motions to Dismiss to be heard by the District Judge. *Id.* That
4 stipulation was filed and granted. In support of this Stipulation and request, the parties state as
5 follows:

6 1. Defendant USA and Karpel filed their Motions to Dismiss on October 7, 2022 [ECF
7 Nos. 12 and 13].

8 2. Pursuant to the Order granting the third stipulation, Plaintiff's deadline to respond
9 to the Motions to Dismiss is December 14, 2022.

10 3. Prior to filing the second stipulation request, counsel for the Plaintiff and counsel
11 for the government in the local U.S. Attorneys' office conferred to attempt to resolve counsel for
12 Plaintiffs request to be added to the Protective Order in place in the underlying criminal case so that
13 Plaintiff may share the criminal discovery with undersigned counsel. The discovery is necessary to
14 further plead the complaint in this case in response to arguments made in the currently pending
15 motions.

16 4. Counsel determined that a motion will be necessary to allow undersigned counsel
17 for Plaintiff to be added to the protective order in the underlying criminal case so that discovery may
18 be reviewed by counsel for Plaintiff and used to further plead the complaint in this case. It is also
19 undersigned counsel's understanding that the United States has no objection to Plaintiff's counsel
20 being added to the protective order upon further motion and order of this court.

21 5. On November 18, 2022, Plaintiffs' counsel filed a Motion to Be Added to the
22 Protective Order in the Underlying Criminal Case [ECF No. 17] in this case. The Motion was denied
23 without prejudice by Magistrate Judge Weksler on November 23, 2022 [ECF No. 19] stating: "The
24 parties in this case may file a joint request for a Protective Order regarding the discovery that Plaintiff
25 in this case will obtain from the Government."

26 6. Counsel for the parties conferred on December 6, 2022 and determined the best
27 course of action in this case is for Plaintiff's counsel to file the Motion to be Added to the Protective
28 Order in the underlying criminal case where the Protective Order was originally entered. Counsel for

1 the parties believe this course of action will better address the issue of allowing Plaintiff's counsel in
2 this case access to the discovery that is subject to a Protective Order in the criminal case.

3 7. To allow time for Plaintiffs' counsel to file the motion in the criminal case, to allow
4 the Court time to rule on the motion, and to allow Plaintiffs' counsel to review the underlying criminal
5 discovery for purposes of prosecuting this civil case and further responding to the pending Motions
6 to Dismiss and/or filing an Amended Complaint, the parties have stipulated to extend Plaintiffs'
7 response deadline to the Motions to Dismiss to January 25, 2023. The parties have further stipulated
8 to allow Defendants UNITED STATES OF AMERICA and DAVID N. KARPEL until March 1,
9 2023 to file its response to Plaintiffs' filing.

10 8. This Request for an extension of time is not sought for any improper purpose or
11 other purpose of delay. Rather, it is sought by the parties solely to allow sufficient time for Plaintiffs'
12 counsel to file the motion in the criminal case, to allow the Court time to rule on the motion, and to
13 allow Plaintiffs' counsel to review the underlying criminal discovery for purposes of prosecuting this
14 civil case and further responding to the pending Motions to Dismiss and/or filing an Amended
15 Complaint.

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1 WHEREFORE, the parties respectfully request that the Court extend the deadlines as stipulated
2 to herein.

3 DATED this 6th day of December, 2022.

DATED this 6th day of December, 2022.

4 BRIAN M. BOYNTON
5 Principal Deputy Assistant Attorney General
6 Civil Division

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7 C. SALVATORE D'ALESSIO, JR.
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19 **IT IS SO ORDERED.**

20 December 8, 2022

21 DATE


UNITED STATES DISTRICT JUDGE